

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on April 13, 2007 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: HB 240, HB 463, HB 240, HB 488, HB 801, HB 564, HB 823

00:02:07

EXECUTIVE ACTION ON HB 240

00:05:30 **Motion:** SEN. GILLAN moved that HB 240 BE CONCURRED IN.

00:05:41 **Motion:** SEN. ELLIOTT moved to amend HB 240 with amendment #HB024001.AGP.

EXHIBIT(tas78a01)

Discussion:

00:06:50 Sen. Jim Elliott to Sen. Kelly Gebhardt

00:07:31 **SEN. ELLIOTT withdrew the motion on the amendment.**

Discussion:

00:07:47 Sen. Kim Gillan

00:08:14 Sen. Elliott

00:09:06 Sen. Robert Story

00:09:42 Sen. Gebhardt

00:11:07 Sen. Jerry Black

00:12:41 Sen. Dan Harrington

00:13:22 Sen. Gebhardt

00:13:38 **Vote:** Motion that HB 240 BE CONCURRED IN failed 5-6 by roll call vote with SEN. GILLAN, SEN. HARRINGTON, and SEN. KITZENBERG voting aye. SEN. KAUFMANN and SEN. SCHMIDT voted aye by proxy. SEN. PETERSON voted no by proxy.

00:14:35 **Motion:** SEN. STORY moved that HB 240 BE TABLED AND THE VOTE REVERSED. Motion carried.

EXECUTIVE ACTION ON HB 463

00:15:02 **Motion:** SEN. GILLAN moved that HB 463 BE CONCURRED IN.

00:15:46 **Motion:** SEN. STORY moved to amend HB 463 with amendment #046302.ALH.

EXHIBIT (tas78a02)

Discussion:

00:16:01 Sen. Story to Lee Heiman, Staff Attorney, Legislative Services Division (LSD)

00:16:13 Sen. Story

00:17:06 Mr. Heiman, LSD

00:21:57 **Vote:** Motion that #HB046302.ALH be approved carried unanimously by voice vote.

00:22:10 **Motion:** SEN. GEBHARDT moved that HB 463 BE CONCURRED IN AS AMENDED.

Discussion:

00:23:04 Sen. Elliott to Mr. Heiman, LSD

00:24:02 Sen. Story to Harold Blattie, Executive Director, Montana Association of Counties (MACo)

00:26:30 Sen. Black to Mr. Blattie, MACo

00:27:28 Sen. Gillan to Mr. Heiman, LSD

00:29:00 Sen. Gebhardt

00:29:30 Sen. Story to Sen. Elliott

00:30:00 Sen. Elliott to Mr. Heiman, LSD

00:30:16 Sen. Gebhardt

00:30:30 Sen. Elliott

00:31:56 Sen. Harrington

00:32:18 Sen. Gebhardt

00:33:16 **Vote:** Motion that HB 463 BE CONCURRED IN AS AMENDED carried 9-2 with SEN. ELLIOTT and SEN. KAUFMANN voting aye. SEN. GILLAN will carry the bill.

EXECUTIVE ACTION ON HB 240

Discussion:

00:34:16 Sen. Elliott

00:34:39 **Motion/Vote:** SEN. STORY moved to RECONSIDER THE MOTION on HB 240 for the purpose of an amendment. Motion carried unanimously by voice vote. No further action was taken.

EXECUTIVE ACTION ON HB 488

00:35:22 **Motion:** SEN. GILLAN moved that HB 488 BE CONCURRED IN.

00:36:08 **Motion:** SEN. STORY moved to amend HB 488 with a CONCEPTUAL AMENDMENT.

Discussion:

00:36:39 Sen. Story

00:38:10 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved carried unanimously by voice vote.

00:38:19 **Motion:** SEN. STORY moved that HB 488 BE CONCURRED IN AS AMENDED.

Discussion:

00:38:30 Sen. Story

00:39:48 **Vote:** Motion that HB 488 BE CONCURRED IN AS AMENDED carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy. SEN. GILLAN will carry the bill.

General Discussion:

00:40:36 Sen. Elliott

00:41:02 Sen. Story

EXECUTIVE ACTION ON HB 801

00:42:44 **Motion/Vote:** SEN. HARRINGTON moved that HB 801 BE
TABLED. Motion carried unanimously by voice vote. SEN.
SCHMIDT was excused.

EXECUTIVE ACTION ON HB 564

00:47:07 **Motion:** SEN. STORY moved that HB 564 BE CONCURRED IN.

00:47:22 **Motion:** SEN. STORY moved to amend HB 564 with
amendment #HB056401.ALH.

[EXHIBIT\(tas78a03\)](#)

[EXHIBIT\(tas78a04\)](#)

Discussion:

00:49:22 Sen. Elliott to Mr. Heiman, LSD

00:50:51 Sen. Elliott to Mr. Heiman, LSD

00:51:55 Sen. Elliott

00:52:29 Sen. Essmann

00:52:48 Sen. Gillan

00:53:22 Sen. Elliott to Sen. Story

00:55:31 **Vote:** Motion that #HB056401.ALH be approved carried 8-
1 by voice vote with SEN. ELLIOTT voting no. SEN.
KAUFMANN and SEN. SCHMIDT were excused. No further
action was taken.

EXECUTIVE ACTION ON HB 823

00:56:37 **Motion:** SEN. GILLAN moved that HB 823 BE CONCURRED IN.

00:57:09 **Motion/Vote:** SEN. ELLIOTT moved to amend HB 823 with amendment #HB082301.AGP. Motion carried 9-2 by voice vote with SEN. GEBHARDT and SEN. STORY voting no. SEN. SCHMIDT voted aye by proxy.

EXHIBIT(tas78a05)

00:57:57 **Motion:** SEN. GILLAN moved that HB 823 BE CONCURRED IN AS AMENDED.

Discussion:

00:58:12 Sen. Gillan

00:58:25 Sen. Story

00:59:43 Sen. Gebhardt

01:00:41 Sen. Peterson to Willie Duffield, Executive Director, Montana Association of Oil, Gas, and Coal Producing Counties

01:01:28 **Vote:** Motion that HB 823 BE CONCURRED IN AS AMENDED carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy. SEN. GEBHARDT will carry the bill.

ADJOURNMENT

Adjournment: 5:00 P.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas78aad.pdf](#))